

# Minutes

**HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY**

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

**Development and Finance Committee Minutes**

**September 22, 2023**

For the official record of the Housing Opportunities Commission of Montgomery County, an open meeting of the Development and Finance Committee was conducted via a hybrid platform (with some participating in-person and some participating online/via teleconference) on September 22, 2023, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland beginning at 10:09 a.m. There was a livestream of the meeting held on YouTube, available for viewing [here](#). Those in attendance were:

**Present**

Jeffrey Merkowitz – Chair  
Robin Salomon- Commissioner

**Via Zoom**

Rick Y. Nelson- Commissioner

**Also Attending**

Chelsea Andrews, Executive Director	Kayrine Brown, Deputy Executive Director
Aisha Memon, General Counsel	John Wilhoit
Monte Stanford	Zachary Marks
Alex Laurens	Richard Congo
Kathryn Hollister	Jay Shepherd

**Via Zoom**

Paulette Dudley	Timothy Goetzinger
Kai Hsieh	Claudia Wilson
John Broullire	Eugenia Pascual
Ellen Goff	Jeremiah Battle
Vivian Benjamin	Alex Torton
Matt Husman	Terri Fowler

**IT Support**

Aries “AJ” Cruz

**Commission Support**

Jocelyn Koon, Senior Executive Assistant  
Morgan Tucker, Assistant

Commissioner Merkowitz opened the meeting with a welcome and introduction of Commissioner Salomon. Commissioner Merkowitz began the meeting with the approval of the minutes. Commissioner Nelson was necessarily absent and did not participate in the vote.

### **APPROVAL OF MINUTES**

The open session and closed session minutes of September 1, 2023 Development and Finance Committee meeting were approved as submitted with a motion by Commissioner Salomon and seconded by Commissioner Merkowitz. Affirmative votes were cast by Commissioners Merkowitz and Salomon. Commissioner Nelson was necessarily absent and did not participate in the vote.

### **ACTION/DISCUSSION ITEMS**

#### **1. MPP: Approval of New Participating Lender for Single Family Mortgage Purchase Program**

Chair Merkowitz introduced Chelsea Andrews, Executive Director, to provide an overview of the presentation. Executive Director, Chelsea Andrews, introduced Director of Mortgage Finance, Monte Stanford, who provided the detailed presentation. Staff recommended that the Development and Finance Committee join staff's recommendation for the Commission to approve First Savings Mortgage Corporation for participation in the Single Family Mortgage Purchase Program. A motion was made to support staff's recommendation by Commissioner Salomon and seconded by Commissioner Merkowitz. Affirmative votes were cast by Commissioner Merkowitz and Salomon. Commissioner Nelson was necessarily absent and did not participate in the vote.

#### **2. HOC Headquarters: Approval to Negotiate and Execute a Guaranteed Maximum Price Contract with Paradigm Construction Company**

Chair Merkowitz introduced Chelsea Andrews, Executive Director, to provide an overview of the presentation. Executive Director, Chelsea Andrews, introduced Jay Shepherd, Housing Acquisitions Manager, and Zachary Marks, Chief Real Estate Officer, to provide the detailed presentation. Commissioner Nelson joined the meeting virtually during the presentation. Staff recommended that the Development and Finance Committee review and join its recommendation that the Commission grant its approval for the Executive Director to negotiate and execute a Guaranteed Maximum Price Contract for the amount of \$50,109,878 with Paradigm Contractors, LLC as the General Contractor for the HOC HQ and issue a notice to proceed. Staff addressed questions by the Commission. A motion was made to support staff's recommendation by Commissioner Salomon and seconded by Commissioner Nelson. Affirmative votes were cast by Commissioner Merkowitz, Nelson, and Salomon.

**3. HOC Headquarters: Approval of the Financing Plan for Construction and Permanent Financing; and Approval of Bond Authorizing Resolution**

Chair Merkowitz introduced Chelsea Andrews, Executive Director, to provide an overview of the presentation. Executive Director, Chelsea Andrews, introduced Victoria Dixon, Senior Multifamily Underwriter, and Monte Stanford, Director of Mortgage Finance, to provide the detailed presentation. Staff recommended that the Development and Finance Committee join in recommending to the Commission approval of the following actions:

- 1) Approval of the HOC HQ Financing Plan and budget totaling approximately \$76.9 million, funded by the following sources: (a) tax-exempt proceeds from the issuance of governmental bonds under the 2002 Multiple Purpose Indenture to fund acquisition, construction, and equipping of the Property, and (b) use of available cash held by the Commission.
- 2) Approval of a Bond Authorizing Resolution for the issuance and delivery of long-term tax-exempt governmental bonds with a term of up to 43 years, under the 2002 Multiple Purpose Indenture in an amount up to \$75 million which proceeds will be funded into a subaccount of the Multiple Purpose Indenture Program Fund and invested in a guaranteed investment contract or other eligible investment until such proceeds are drawn by the Commission to pay costs of the development and may be used for other eligible costs of the Commission; selection of Bank of America, among the Commission's bond underwriters, as the Senior Manager of the bond issuance with PNC Bank N.A. as Co-Senior Manager; and authorization of Kutak Rock as bond counsel.
- 3) Authorize the Executive Director or her designee, to negotiate and execute all related transactional documents to effectuate closing, including any and all related tax documents.

Staff addressed questions by the Commission. A motion to support the staff's recommendation was made by Commissioner Salomon and seconded by Commissioner Nelson. Affirmative votes were cast by Commissioner, Merkowitz, Nelson and Salomon.

**4. MetroPointe: Approval to Acquire Limited Partner Interest in Wheaton Metro Limited Partnership**

Chair Merkowitz introduced Chelsea Andrews, Executive Director, to provide an overview of the presentation. Executive Director, Chelsea Andrews, introduced John Wilhoit, Director of Asset Management, and Zachary Marks, Chief Real Estate Officer, to provide the detailed presentation. Staff recommended that the Development & Finance Committee support its recommendation that the Commission:

- 1) Approve the acquisition of the limited partner interest from Wells Fargo for Wheaton Metro LP for \$100 plus legal fees.

- 2) Approve the assignment of the limited partner interest for Wheaton Metro LP to HOC YR15 LLC, of which HOC is the sole member
- 3) Authorize the Executive Director to take any and all actions necessary and proper to carry out the acquisition of the limited partner interest for Wheaton Metro LP.
- 4) Approve a draw of up to \$6,000 from the Opportunity Housing Reserve Fund for the acquisition costs.

Staff addressed questions by the Commission. A motion to support the staff's recommendation was made by Commissioner Salomon and seconded by Commissioner Merkwotiz. Affirmative votes were cast by Commissioners Merkwowitz and Salomon. Commissioner Nelson was necessarily absent and did not participate in the vote.

Based upon this report and there being no further business to come before this session of the Development and Finance Committee, the Committee adjourned the open session at 10:54 a.m.

Respectfully submitted,

Chelsea Andrews,

/jlk